

REMARKS

The Office Action dated February 8, 2008 has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto.

Claims 1-5 have been rejected. Claim 1 has been amended. Thus, claims 1-5 are pending in this application. Support for the amendments may be found in the specification as originally filed. Applicant submits that no new matter is added. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Rejection Under 35 U.S.C. §112

Claims 1-5 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Office Action states that claim 1 is confusing because it recites a single "polarizing electrode" as including a positive electrode and a negative electrode. The Office Action further remarks that if both positive and negative electrodes are disposed on a single collector foil, this would produce an internal short circuit.

The Applicant has amended claim 1 to recite "a polarizing electrode, made of activated carbon, a conducting material and a binder, provided on at least one side of the collector foil and forming a positive electrode body or a negative electrode body" (emphasis added). The Applicant respectfully submits that the above amendment overcomes the rejection. Accordingly, Applicant respectfully requests withdrawal of the §112 rejection of claims 1-5.

Allowable Subject Matter

Applicant appreciates the Examiner's indication that claims 1-5 would be allowable if rewritten or amended to overcome the rejection. Applicant submits that claim 1 has been amended to overcome the 35 U.S.C. §112, second paragraph rejection. Accordingly, Applicant respectfully submits that claims 1-5 are in condition for allowance.

Information Disclosure Statement

An Information Disclosure Statement and Form PTO/SB/08a that include copies of the foreign references cited along with the required fees are filed concurrently herewith. Applicant respectfully requests consideration of the references cited in the Form PTO/SB/08a.

CONCLUSION

Applicant respectfully submits that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event that this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account Number 01-2300, referencing Docket Number 101154-00020.

Respectfully submitted,



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Enclosures: Information Disclosure Statement
Form PTO/SB/08a
International Search Report
References (8)